

Applic. No. 09/379,215

Amdt. dated August 9, 2004

Reply to Office action of April 8, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-4, 6-8, 10-17, and 20 remain in the application.

Claims 1, 6, 11, 13, 15, and 16 have been amended.

In item 3 on page 2 of the above-identified Office action, the claims 1-4, 6-8, 10-17, and 20 have been rejected as being indefinite under 35 U.S.C. § 112.

More specifically, the Examiner has stated that the originally filed specification fails to limit the disclosure to "only an outer layer". Claim 1 has been amended so as to facilitate prosecution of the application. Accordingly, the rejection of claim 1 is believed to have been overcome.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor

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for any reason related to the statutory requirements for a patent.

In item 5 on page 3 of the Office action, claims 1-4, 6-8, 10-17, and 20 have been rejected as being obvious over Gardill (U.S. Patent No. 5,614,285) in view of Hawley's Condensed Chemical Dictionary (hereinafter "HCCD") under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 11, lines 1-9 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 13 call for, *inter alia*:

thermoplastic layers each being a single layer and having synthetic materials, and ... the thermoplastic layers forming outer surfaces of the multilayer composite body and forming at least one molded functional element exclusively on at least

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one of the outer surfaces, the functional element selected from the group consisting of a fixing strip and a rib.

The Gardill reference discloses a mat (10) that is molded into a finished panel (60) by mold dies (32 and 34). The mat (10) includes layers (40, 42, and 44). The mat (10) may be placed on a back side (36) of an unheated cosmetic layer (35). Due to the matching cores and cavities on the mold dies (32 and 34) in Gardill, any features molded in the finished panel (60) are formed in every layer of the mat (10).

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest thermoplastic layers each being a single layer and having synthetic materials, and ...the thermoplastic layers forming outer surfaces of the multilayer composite body and forming at least one molded functional element exclusively on at least one of the outer surfaces, the functional element selected from the group consisting of a fixing strip and a rib, as recited in claims 1 and 13 of the instant application.

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The Gardill reference discloses a mat (10) that is molded into a finished panel (60). Any features that are provided in the Gardill reference are formed across all the layers of the mat (10). The Gardill reference does not disclose a finished panel (60) having two thermoplastic layers forming outer surfaces that are each a single layer and that functional elements are molded exclusively in at least one of the outer surfaces. This is contrary to the invention of the instant application as claimed, in which thermoplastic layers each being a single layer and having synthetic materials, and ... the thermoplastic layers form outer surfaces of the multilayer composite body and form at least one molded functional element exclusively on at least one of the outer surfaces, the functional element selected from the group consisting of a fixing strip and a rib.

The HCCD dictionary does not make up for the deficiencies of Gardill.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

Since claim 1 is believed to be allowable, dependent claims 2-4, 6-8, 10-17, and 20 are believed to be allowable as well.

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It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 13. Claims 1 and 13 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-4, 6-8, 10-17, and 20 are solicited.

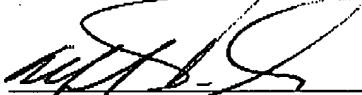
In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$110 in accordance with Section 1.17 is enclosed herewith.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,



Alfred K. Dassler
52,794

For Applicant(s)

AKD:cgm

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101